

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**ERIC C. PEARCE**  
**29 Amble Road**  
**Chelmsford, Massachusetts**

**Plaintiff,**

**v.**

**KEITH BAUMM**  
**9 Lincoln Street**  
**East Boothbay, Maine AND**  
**ADVANCED COMPOSITE**  
**ENGINEERING D/B/A**  
**AEGIS BICYCLES**  
**44 Elm Street**  
**Camden, Maine**

**Defendant,**

**CIVIL ACTION NO.:**  
**1:05-cv-11694**

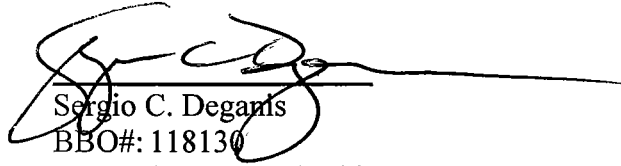
**JURY TRIAL DEMANDED**

**November 17, 2006**

**CONSENTED TO MOTION FOR CONTINUANCE OF  
SCHEDULING CONFERENCE**

Pursuant to Local Rule 40.3, the undersigned plaintiff hereby moves for a continuance of the Scheduling Conference which is currently set for December 14, 2006 at 2:30pm. All parties to this action have been contacted and consent to the granting of this motion. The parties are available for this conference on December 19, 2006, and January 4, 5, 8, 9, 10, 11, 12, 16, 18, and 19, 2007. This is the Second Motion for Continuance of the Scheduling Conference that has been filed by the parties to this action. An affidavit of good cause is attached hereto in support of this motion.

Respectfully submitted:  
THE PLAINTIFF,  
Eric C. Pearce,  
By his attorneys,  
Ouellette, Deganis & Gallagher, LLC

A handwritten signature in black ink, appearing to read 'Sergio C. Deganis', is written over a horizontal line. The signature is stylized with a large, looping 'S' and a long horizontal stroke extending to the right.

Sergio C. Deganis  
BBO#: 118130  
143 Main Street, Cheshire, CT 06410  
(203) 272-1157  
[Sdeganis@ODGWLAW.com](mailto:Sdeganis@ODGWLAW.com)

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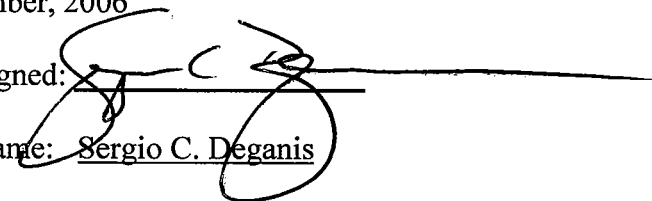
**AFFIDAVIT OF GOOD CAUSE**

I, Sergio C. Deganis, having been duly sworn, depose and say and hereby attest to the following facts:

- 1: I believe in the obligation of an oath;
- 2: I am of legal age, over 18;
- 3: A Scheduling Conference in the above captioned matter is currently set for December 14, 2006 at 2:30 pm.
- 4: I am unable to attend the Scheduling Conference as set as I will be out of the state on that date.
- 5: I am the only attorney in my office who is admitted to the Federal Bar for the District of Massachusetts.
- 6: I have contacted Atty. James Poliquin, counsel for Defendant Keith Baumm and have obtained his consent to the granting of this motion.

7. Both Atty. Poliquin and I are available on December 19, 2006 and January 4, 5, 8, 9, 10, 11, 12, 16, 18, and 19, 2007 for the rescheduling of this conference.

Dated at Cheshire, Connecticut, this 17<sup>th</sup> day of November, 2006

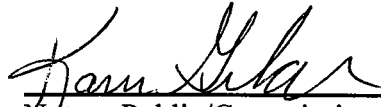
Signed: 

Name: Sergio C. Deganis

The foregoing Affidavit was acknowledged before me this 17<sup>th</sup> day of November, 2006

State of Connecticut

County of New Haven

  
Notary Public/Commissioner of  
Superior Court 10/31/09

**CERTIFICATION**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 17, 2006. I further certify that pursuant to local rule 7.1(a) I have contacted Attorney Poliquin regarding this matter and he consents to the granting of this motion.

By: 

Sergio C. Deganis

BBO#: 118130

143 Main Street, Cheshire, CT 06410

(203) 272-1157

[Sdeganis@ODGWLAW.com](mailto:Sdeganis@ODGWLAW.com)